

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARNEGIE INSTITUTION OF
WASHINGTON and M7D CORPORATION,

Plaintiffs,

v.

PURE GROWN DIAMONDS, INC. and
IIA TECHNOLOGIES PTE. LTD. d/b/a
IIA TECHNOLOGIES,

Defendants.

Case No. 20-cv-0189 (JSR)

**DECLARATION OF J. PRESTON LONG
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

I, J. Preston Long, declare as follows:

1. I am an attorney with Finnegan, Henderson, Farabow, Garrett & Dunner, LLP and am counsel for Defendants Pure Grown Diamonds, Inc. and Ila Technologies Pte. Ltd. in the above-captioned matter. I submit this declaration based upon my own personal knowledge in support of Defendants' Motion to Dismiss.

2. Attached as **Exhibit A** is a true and correct copy of U.S. Patent No. 4,124,690 to Strong et al. (9 pages).

3. Attached as **Exhibit B** is a true and correct copy of U.S. Patent Application Publication No. 2001/0031237 to Vagarali et al. (9 pages).

4. Attached as **Exhibit C** is a true and correct copy of T.W. Overton & J.E. Shigley, *A History of Diamond Treatments*, 44 GEMS & GEMOLOGY 32 (April 2008) (24 pages).

5. Attached as **Exhibit D** is a true and correct copy of R.C. DeVries, *Plastic Deformation and "Work-Hardening" of Diamond*, 10 MATERIALS RESEARCH BULLETIN 1193 (1975) (7 pages).
6. Attached as **Exhibit E** is a true and correct copy of A.V. Khomich et al., *Effect of High Temperature Annealing on Optical and Thermal Properties of CVD Diamond*, 10 DIAMOND & RELATED MATERIALS 546 (2001) (6 pages).
7. Attached as **Exhibit F** is a true and correct copy of European Patent Application Pub. No. 0879904A1 to Saito et al. (24 pages).
8. Attached as **Exhibit G** is a true and correct copy of Plaintiffs' Local Patent Rule 6 Disclosure to Defendants Pure Grown Diamonds, Inc. and Ila Technologies Pte. Ltd. (23 pages).
9. Attached as **Exhibit H** is a true and correct copy of K. Tankala et al., *Modeling of Substrate Surface Temperature Distribution During Hot Filament Assisted Diamond Deposition*, Office of Naval Research Technical Report No. 4, R&T Project No. IRMT 034 (1992) (31 pages).
10. Attached as **Exhibit I** is a true and correct copy of K.J. Gray & H. Windischmann, *Free-Standing Diamond Wafers for Thermal Management By D.C. Arc Jet Technology*, 9 DIAMOND & RELATED MATERIALS 903 (1999) (6 pages).
11. Attached as **Exhibit J** is a true and correct copy of U.S. Patent No. 5,449,412 to Pinneo (13 pages).
12. Attached as **Exhibit K** is a true and correct copy of U.S. Patent No. 5,551,983 to Shepard et al. (16 pages).
13. Attached as **Exhibit L** is a true and correct copy of U.S. Patent No. 5,292,371 to Yasui & Chosa (9 pages).

14. Attached as **Exhibit M** is a true and correct copy of European Patent Application Pub. No. 0727507A2 to Fellbaum & Volker (14 pages).

15. Attached as **Exhibit N** is a true and correct copy of U.S. Patent No. 6,099,652 to Patten, Jr. et al. (14 pages).

16. Attached as **Exhibit O** is a true and correct copy of J.-h. Jeong et al., *Mechanical Analysis for Crack-Free Release of Chemical-Vapor-Deposited Diamond Wafers*, 11 DIAMOND & RELATED MATERIALS 1597 (2002) (9 pages).

17. Attached as **Exhibit P** is a true and correct copy of U.S. Patent Application Publication No. 2002/0081260 to Vagarali et al. (9 pages).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on March 30, 2020, at Potomac, MD.



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